

Americans with Disabilities Act

Role of the ADA Coordinator

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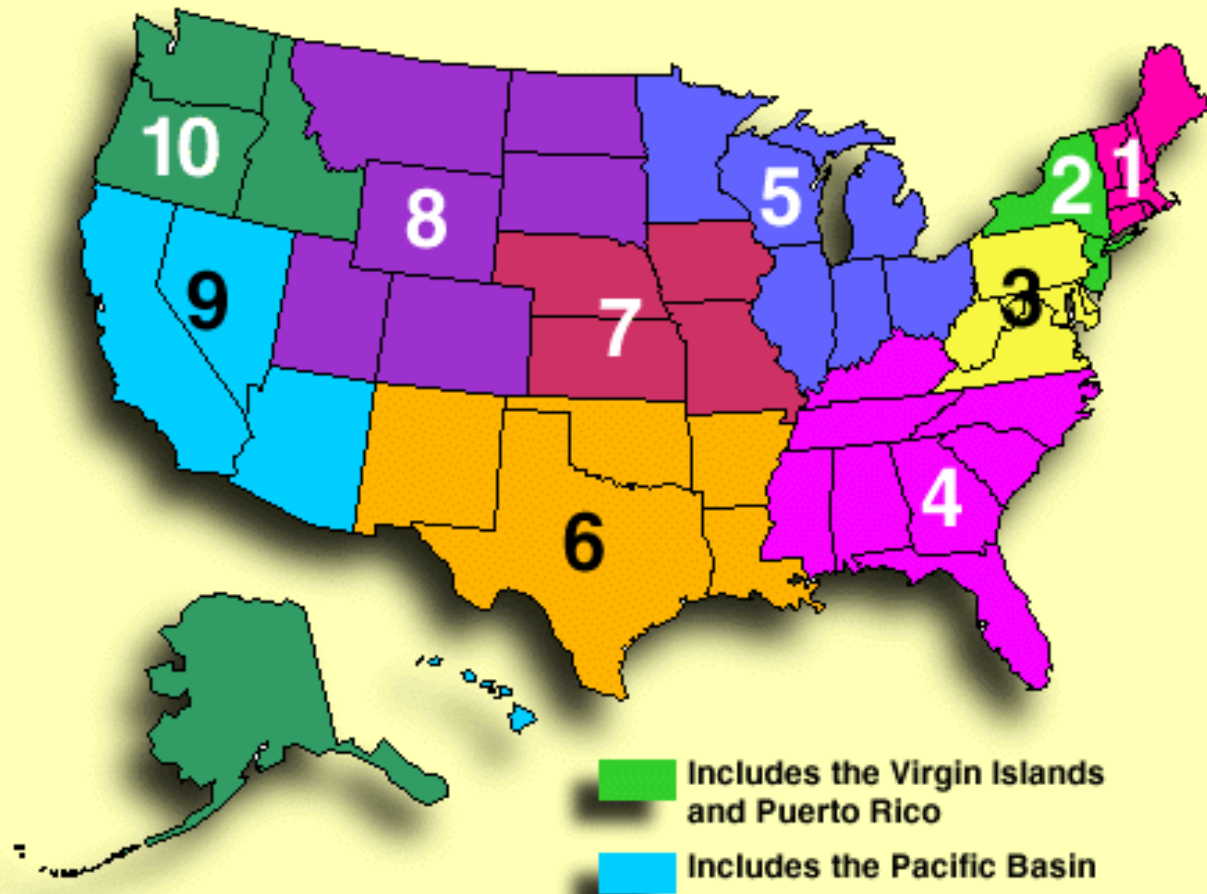
New England ADA Center
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New England ADA Center is one of ten ADA Centers

Funded by the National Institute on Disability and Rehabilitation Research



1-800-949-4232

Institute for Human Centered Design

200 Portland St
Boston

An international design non-profit dedicated to enhancing the experiences of people of all ages and abilities through excellence in design.



www.HumanCenteredDesign.org

What Is ADACC?

- Non-profit established in 1992 to promote voluntary compliance with the ADA;
- The official affiliate of the New England ADA Center;
- Operates on a voluntary basis;
- Is membership organization that provides training and technical assistance benefits.

Structure of the ADA

Title I Employment

Title II State and Local Governments

Title III Public Accommodations and
Commercial Facilities

Title IV Telecommunications

Title V Miscellaneous

Department of Justice ADA Title II regulations

28 CFR Part 35

Nondiscrimination on the basis of
disability in state and local government
services

www.ADA.gov

Who's Protected Under the ADA?

A person who

- currently has a disability
- has a record or history of a disability
- or
- is regarded as having a disability

Definition of Disability

First Part

An individual who currently has

a disability

(physical or mental impairment that substantially limits a major life activity)

People with Mobility Disabilities



People with Mobility Disabilities



People with Mobility Disabilities





People with low vision



People who are blind



People who are deaf using sign language



People who are hard of hearing



People with intellectual disabilities



**People with disabilities that may or
may not be apparent**

Epilepsy

Psychiatric illness

Tourette syndrome

Traumatic brain injury

People with disabilities that are (usually) not apparent



Diabetes

Cancer

Learning disabilities

Etc.

Who's Protected?

An individual who

has a record or history of

a disability

Example

Mr. D had cancer eight years ago. For a year he was ill, had difficulty walking and was unable to work.

Mr. D has been cancer and symptom free for six years.

He applies for a job in a small town. The employer doesn't hire him because of concerns that he will have a relapse, be absent and insurance rates will increase.

He is protected from discrimination under the ADA based on his history of disability.

Definition of Disability

Third Part

An individual who

is regarded as having

a physical or mental impairment

Example

Ms. A has facial scars from a fire that occurred when she was young.

A county museum does not allow her to volunteer because of concerns about peoples' reactions to her.

She is protected under the “regarded as” part of the definition.

Who Else?

Association

Mr. G has a son with autism. He applies for a job.

Again, small town, the employer knows Mr. G's son has autism and is concerned that Mr. G will be absent too much and doesn't hire him.

Mr. G is protected under the ADA due to his association with a person with a disability.

**Questions before we move on to
Administrative Requirements and
Role of ADA Coordinator?**

ADA Title II

Administrative Requirements

1. Conduct a Self Evaluation
2. Provide Notice and Information
3. Adopt a Grievance Procedure
4. Develop a Transition Plan (concerning structural modifications)
5. Designate at least one employee to coordinate ADA responsibilities

1. Conduct a Self Evaluation

28 CFR 35.107

Required of all public entities

- Evaluate services, policies, and practices
- Make necessary modifications
- Conduct by July 25, 1993
- Department of Justice recommends upgrading

2. Provide Notice and Information

28 CFR 35.106

Required of all public entities.

Include:

- Your compliance with the ADA
- How to request accommodations
- Information about accessible facilities and activities (put info on website)
- How to complain

2. Provide Notice and Information

28 CFR 35.106

Department of Justice has a model

- ada.gov
- Project Civic Access (bottom of page)
- Settlement agreements

2. Provide Notice and Information

28 CFR 35.106

Distribute:

- Website
- Conspicuous locations (buildings)
- Municipal report
- Public service announcements
- Upon request

3. Adopt a Grievance Procedure

28 CFR 35.107

Required if public entity has 50 or more employees

- “Prompt and equitable” resolution of complaint
- May use an existing grievance procedure
- Department of Justice has a model
 - ada.gov
 - Project Civic Access
 - Settlement agreements

4. Develop a Transition Plan

28 CFR 35.150

Required if public entity has 50 or more employees

- List of structural barriers
- Methods to make accessible
- Target dates
- Who's responsible
- Complete work by January 25, 1995!!
- Department of Justice recommends upgrading

4. Develop a Transition Plan

28 CFR 35.150

People with disabilities and organizations representing people with disabilities to participate in the development of the plan.

A copy of the transition must be made available for public inspection.

5. Designate at least one employee to coordinate ADA responsibilities

28 CFR 35.107

Required if public entity has 50 or more employees

- Usually called “ADA Coordinator”
- Rarely a full time job
- Could be more than one person
- Example: state college (3 people)
 - Employment
 - Student services
 - Parents and public

ADA Title II

Administrative Requirements

All municipalities

1. Conduct a Self Evaluation
2. Provide Notice and Information

Municipalities with 50 or more employees

3. Adopt a Grievance Procedure
4. Develop a Transition Plan (concerning structural modifications)
5. Designate at least one employee to coordinate ADA responsibilities

Reality of Role, Responsibilities and Duties of the ADA Coordinator

- Systems change agent
- In-house consultant for employees committees and boards
- Arbitrator of conflict
- *Herder* or manager of compliance
- ADA busybody

Reality of Role, Responsibilities and Duties of the ADA Coordinator

1. An addition is planned for the library.
2. The town sponsors a weekend “Old Home Days” event.
3. The recreation department is starting an overnight camp program.
4. The public works department wants help prioritizing curb ramp improvements.
5. The library has an issue with a patron who has a service animal and another who is allergic to dogs.
6. Etc, etc.

Resources

New England ADA Center

800-949-4232

www.NewEnglandADA.org

ADA Coalition of CT (ADACC)

860-297-4383

www.adacc.net

Department of Justice

800-514-0301

www.ada.gov

End of Slides

Questions/Discussion??